

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.9046 of 2014

Arasakumaran

.. Petitioner

Vs.

1. The State of Tamil Nadu rep.
By its Secretary to Government
Local Administration Department
Fort St. George
Chennai

2. The Director of Municipality
Ezhilagam, Chepauk
Chennai

3. The District Collector
Villupuram District
Villupuram

4.Kallakurichi Municipality
Rep. By its Commissioner
Kallakurichi & P.O
Villupuram District

5.Balakrishnan
Municipal Chairman
Kallakurichi & P.O
Villupuram District

6.Selvi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent to conduct an auction in respect of Shop No.11 in the municipal shopping complex at Kallakurichi and to permit the petitioner to take part in the said auction and to announce the result.

For Petitioner : Mr.A.Malath Devapriyam

For Respondents : Mrs.P.Rajalakshmi
Government Advocate for R1 to R3
Mr.A.S.Thambuswamy for R4 and R5
Mr.C.Senapathi for R6

O R D E R

The learned counsel appearing for the petitioner, on instructions, would submit that since the prayer has worked out itself, nothing survives for adjudication in this writ petition, but would contend that the respondents 4 and 5 are not conducting auction and prays for liberty to work out that remedy.

2.The learned counsel appearing for respondents 4 and 5 has drawn the attention of this Court to the counter affidavit and would submit that the petitioner has tendered only one Demand Draft for a sum of Rs.25,000/- to participate in the auction for Shop No.41 and as far as the shop No.11 is concerned, he did not make any deposit and participated in the auction.

3.In the light of the above submissions, the writ petition is dismissed as infructuous. However, if the petitioner is so advised and if it is open to him under law, he is always at liberty to work out his further remedy in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa
To

1. The Secretary to Government
Local Administration Department
Fort St. George
Chennai

2. The Director of Municipality
Ezhilagam, Chepauk
Chennai

3. The District Collector
Villupuram District
Villupuram

4.Kallakurichi Municipality
Rep. By its Commissioner
Kallakurichi & P.O
Villupuram District

+1cc to Ms.A. Malathi Devapriyan, Advocate, S.R.No.33875
+1cc to Mr.A.S.Thambuswamy, Advocate, S.R.No.34025

JSV(CO)
EU(22/07/2015)

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